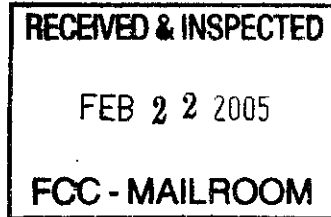


February 12, 2005

Chairman Michael K. Powell
Federal Communications Commission
445 12th Street SW
Washington, DC 20554



Dear Chairman Powell:

I read with great interest your *Separate Statement* and in particular in reference to *Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991, CG Docket No. 02-278* apparently stemming from the February 10, 2005 Commission Meeting. It applies to our current problem with ComTech 21.


I am attaching a copy of a letter from ComTech 21 threatening to put our account into collection status. I would greatly appreciate your reading my attached response. This is a perfect example of what happens when a consumers' phone service bills are inaccurate. This issue is addressed in the first sentence in the second paragraph of the *Separate Statement of Chairman Michael K. Powell*. Prior to this long distance carrier problem, in 2002 we had the identical problem with *Isterra* and AT&T did it prior to them.

These long distance carriers agree with consumers on specific *Interstate* and *Intrastate* charges per minute, but then actually bill at different rates. Most people (ourselves included) have busy schedules and cannot afford to check these invoices each month as to the number of minutes being used in each of the respective categories, and the *actual* charges. This is not a fair practice and there is no question in my mind that millions of dollars are excessively paid each month by consumers who never check the actual charges against their promised rates. Long distance carriers are calculating in this respect and greatly profit from the lack of attention of consumers.

Chairman Powell, full disclosure has become an expected element in most business dealings these days, and in fact, it is a continuing legal requirement in many professions. Communication companies should not be exempt from proper monthly disclosure. *Interstate, Intrastate and Interlata*, and *International* billings are complex matters that go right over the heads of the average consumer, and yet there are many millions of dollars at stake each month. Long distance providers should be required to provide consumers with a written disclosure every time there is a promise of lowered rates and with each monthly statement and should provide segregated information as to usage, charges, and totals for each category, including an understandable summary for each category that specifies the cost per minutes for each type of call made. The consumer should not be required to constantly audit complicated billing statements of these companies in order to be assured they are not being overcharged.

Your attention to this matter and your intervention into our specific problem with ComTech 21 would be greatly appreciated. I suppose I don't understand the *teeth* that accompanies an FCC Rule or Regulation (what keeps a company like ComTech 21 from thumbing their noses at your Commission). I suspect that a letter or a telephone call from you or your office would yield the desired results. In our case, there needs to be an accounting as I've suggested they provide. Any deficiency, we're glad to pay. Mr. Larsen committed to lowering rates a couple of times since we joined ComTech 21 but we never received anything in writing from them or him. This last time rates were supposed to be revised downward (2003), in a phone call we had with staff of ComTech 21 just a week or so ago, they denied any authorization of those rates. We were pointedly told that they were never made aware of any lowering of our rates to 3.9¢ and 9.0¢ respectively by their Representative, Dick Larsen. That is a perfect example of where the rep for a long distance carrier should be required to disclose in writing to the consumer what they're saying on the phone! Would you help us?

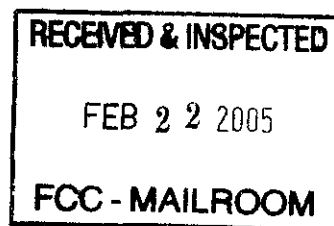
Sincerely,


Dick Newman
P.O. Box 509
Mesa, CO. 81643-0509

No. of Copies rec'd 0
List ABCDE

February 12, 2005

ComTech 21
Attn: Revenue Assurance Dept.
One Barnes Park South
Wallingford, Connecticut 06492



Re: Acct #21-14380 (970) 268-5410 and
Your Letter Dated Feruary 8, 2005

This letter disputes your January 2005 bill. Over the past month we have contacted you about this matter and I will make one last attempt (in writing) to clarify our position. You have been overcharging us.

During 2003, your representative Dick Larsen, in an attempt to prevent us from switching to a competing long distance carrier, presented us with a 3.9¢ *Interstate* and 9.9¢ *Intrastate* billing. That was acceptable to us and since we sincerely trusted Dick, we went on to business as usual. Prior to the 2004 Thanksgiving Holiday, we had a sizeable long distance bill and felt we needed a flat-rate calling plan and tried numerous times by both phone call (message box full) and emails (no reply) to contact Dick. Finally I made direct contact with ComTech.

We had occasion at this time to research our actual charges in order to answer questions posed by your competitors. Different ones suggested that we thoroughly examine our bills for both *Interstate* and *Intrastate* usage because ComTech 21 had a reputation of actually billing differently from their promises. When we did this little exercise with our January 15, 2005 Invoice and were astounded to learn our actual Interstate charges were running 8¢ per minute! *Intrastate* ran us 8.8¢ per minute.

We have never examined any of the previous billings...nor do we intend to do so. It is your job to see to it that we are billed in an honest fashion. We corresponded with ComTech 21 about this over billing and asked you to look into the overcharging. That request was obviously ignored and we put a stop payment on our January 2005 check.

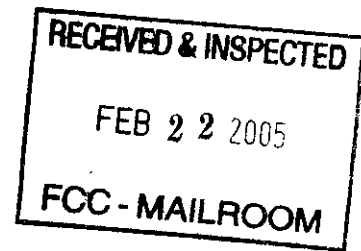
Now to make the matter perfectly clear, I do not have a problem with paying you what I rightfully owe you. Is that understood? My record with you proves that. However, I do have a problem with continuing to overpay you! It is not my job to take my time to correct your billing...that is your responsibility. Dick Larsen is your man. You get hold of him and verify our billing rates for *Interstate* and *Intrastate* and then you go back and spend your time adjusting all of the past ComTech 21 Invoices that we have already paid. The amount we overpaid you is called in accounting terms a Credit. Hang onto that number. Then apply it to what you claim we owe you for the January 2005 Invoice (adjusted by the appropriate *Interstate* and *Intrastate* rates). If there is a balance owing, just let me know and I will pay it. On the other hand, if there is a credit owing, I expect a refund. That is fair (even though you have had our money in your hands for well over a year and not paid us a dime's interest on the use of it).

I don't appreciate your threatening to place this account into collection status. Just so you'll know, I currently am involved in a very similar matter which is currently in the hands of my lawyer. It will take very little to amend matters and place you right smack in the middle of that wrongful collection matter. I would strongly suggest that you place some interested and *thinking* person on a corrective analysis of this account. Just to make certain you do just that, a copy of this matter is also going to the Federal Communications Commission in order to get their input regarding your practices of over billing customers.

Sincerely,

Richard Newman
P.O. Box 509
Mesa, CO. 81643-0509

CC: Federal Communications Commission



Richard Newman
P.O. Box 509
Mesa, CO 81643

Acct #21-14380
(970) 268-5410

February 8, 2005

Dear Richard,

Enclosed is a check that was returned to us by our bank, uncashed, because the account is closed. We have added the amount of \$91.65 back to the account balance, and also \$25.00 for bank fees. The total balance due on this account is \$116.65, and this includes all current charges, credits, and/or late fees.

Please bring this account up-to-date, as soon as possible, to avoid any other late fees, and to prevent this account from going into **collection status**.

If you have any questions please call 1-877-312-5564.

Sincerely,

Revenue Assurance Dept.

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